

PLANNING COMMISSION MINUTES

May 1, 2012

7:00 p.m.

Present: Chairman Tom Smith, Vice Chairman Dave Badham, Sean Monson, Von Hill, David Patton, City Council Representative Beth Holbrook, City Manager/City Attorney Russell Mahan, City Engineer Paul Rowland, Planning Director Aric Jensen and Recording Secretary Connie Feil.

Absent: Michael Allen.

Chairman Tom Smith welcomed all those present.

Beth Holbrook made a motion to approve the minutes for April 17, 2012 as written. David Patton seconded the motion and voting was unanimous in favor.

1. Consider preliminary and final commercial site plan approval for The Mattress Firm located at 228 N. 500 W., Robert Winton, applicant.

Robert Winton, applicant, was present. Aric Jensen explained that Mr. Winton is requesting site plan approval for a single-story, 4,800 sq ft retail/commercial building located at 265 East 500 South. The property is approximately 0.43 acres and is zoned Heavy Commercial (C-H). The proposed building/business is a permitted use in this zone. All existing structures on the property will be demolished and removed as part of this project.

The proposed building will be constructed near the corner of 200 North and 500 West, with the parking lot to the rear (east). A minimum of 10 parking stalls is required by ordinance, and the proposed site plan contains 19 stalls, including 1 handicap space.

Street access to the parking lot will be off of 200 North, and so approval from UDOT is not necessary. The existing drive approach onto 500 West is to be abandoned and needs to be replaced with curb and gutter, which may require a permit from UDOT. The site plan indicates that a section of the property may extend into the existing 500 West travel-way; if this is the case, that land will need to be dedicated to UDOT.

The proposed building is rectangular in shape, and the exterior will consist primarily of a two-tone, beige, masonry block, and red metal awnings. There will be large windows on the east, south, and west sides of the building.

Storm drainage will be detained on the surface of the parking lot, and then flow to the existing storm drain system in 500 West. The landscaping plan meets all of the minimum City

requirements. The proposed building and parking lot meet all of the minimum setbacks required by the Heavy Commercial zone.

Staff recommends preliminary and final commercial site plan approval for the Mattress Firm, with the following conditions:

1. Make any and all redline corrections prior to building permit approval.
2. Pay any outstanding fee.
3. If necessary, obtain permission from UDOT to work in the 500 West ROW.
4. If necessary, dedicate to UDOT any land within the 500 West corridor.

Robert Winton had nothing to add to Mr. Jensen's comments. Mr. Winton feels that this project will be a great addition to the community.

There was a discussion regarding UDOT's involvement on 500 West and the material being used on the building.

Von Hill made a motion to recommend to the City Council preliminary and final commercial site plan approval for The Mattress Firm, located at 228 N. 500 W., subject to the conditions outlined by staff. Dave Badham seconded the motion and voting was unanimous in favor.

2. PUBLIC HEARING – Consider a zone map amendment from Single-Family Residential (R-4) to Single Family Residential Planned Development Overlay (R-4-PDO) located at 600 N. & 400 E., Gary Wright, applicant.

Von Hill recused himself from this item (Hill and Argyle are the engineers and surveying firm on this project).

Gary Wright, applicant, was present. Aric Jensen gave a visual presentation and explained that Mr. Wright's intent is to develop 23, detached, single-family dwelling lots. The lots would be accessed from a public road that would commence at the intersection of 550 North and 400 East and run the length of the property to the easternmost boundary, where, at a future date, it would cross a corner of the adjoining LDS Church property and connect with the stubbed portion of 600 East.

The Planning Commission has reviewed this proposal on multiple occasions; most recently on April 17, 2012. The original proposal to connect the proposed 550 North Street to 650 North has been withdrawn. The current proposal represents a compromise based on input provided by City staff, neighbors, the project engineer, the developer, and other interested parties.

Mr. Jensen explained that after substantial review, staff has reached the following conclusions:

1. This property has unique physical and geographical restraints; namely it is bisected by Stone Creek and by a West Bountiful water transmission line/easement, it is landlocked on three sides, and it is not wide enough to construct a second road looping back to its sole frontage.
2. A public street is in the best interest of the neighborhood and the City in general.
3. Demolishing a home along either 650 North or 400 North to provide a second street connection is not in the best interest of the neighborhood or the City in general.
4. A long cul-de-sac or other dead-end street configuration within the proposed development is not in the best interest of the neighborhood or the City in general.
5. A future street connection to 600 East through the undeveloped corner of the LDS Church property is in the best interest of most of the neighborhood and wholly in the best interest of the City in general.
6. A standard width public street connecting the proposed 550 North to 600 East can be built and still keep the existing LDS Church softball field within regulation size.
7. The developer could construct 23 new lots, plus keep the existing home at 518 East 650 North, if he were permitted to develop 60' wide lots.
8. The Planning Commission and City Council could approve a Planned Development Overlay with provisions allowing for minimum lot width of 60', a minimum lot size of 6,000 sq ft, and a minimum side yard setback of 6', with all other provisions of the R-4 Zone remaining intact.
9. Any amendment to the existing City ordinance regarding cul-de-sac length would have to apply to all other properties within the City, and staff is concerned about the potential unintended consequences of such an amendment.

Based on these conclusions, staff has identified three options for the Commission to consider:

1. Approve the developer's current request for a Planned Development Overlay, as set forth on the attached development plan, with provisions allowing for a minimum lot width of 60', a minimum lot size of 6,000 sq ft, and a minimum side yard setback of 6', and with all other provisions of the R-4 Zone remaining intact.
2. Approve a Planned Development Overlay with a modified development plan and an alternative minimum lot width, lot size, and side yard setback, to be determined by the Planning Commission and City Council.

3. Deny the proposed Planned Development Overlay request, which would effectively require any future development to conform to all the provisions of the R-4 Zone.

Staff believes that the interests of the City are best served by a road that connects from 400 East Street through the corner of the LDS Church property to the stubbed extension of 600 East Street.

All three options identified would result in a single-family residential development; however, the first option represents the request of the property owner. Planning Staff recommends that the Planning Commission recommend approval of the proposed Planned Development Overlay for the subject property with the following findings and conditions:

Findings

1. This property has unique physical and geographical restraints; namely it is bisected by Stone Creek and by a West Bountiful water transmission line/easement, it is landlocked on three sides, and it is not wide enough to construct a second road looping back to its sole frontage.
2. A public street is in the best interest of the neighborhood and the City in general.
3. Demolishing a home along either 650 North or 400 North to provide a second street connection is not in the best interest of the neighborhood or the City in general.
4. A long cul-de-sac or other dead-end street configuration within the proposed development is not in the best interest of the neighborhood or the City in general.
5. A future street connection to 600 East through the undeveloped corner of the LDS Church property is in the best interest of most of the neighborhood and wholly in the best interest of the City in general.
6. A standard width public street connecting the proposed 550 North to 600 East can be built and still keep the existing LDS Church softball field within regulation size.
7. The developer could construct 23 new lots, plus keep the existing home at 518 East 650 North, if he were permitted to develop 60' wide lots.
8. The Planning Commission and City Council could approve a Planned Development Overlay with provisions allowing for minimum lot width of 60', a minimum lot size of 6,000 sq ft, and a minimum side yard setback of 6', with all other provisions of the R-4 Zone remaining intact.

9. Any amendment to the existing City ordinance regarding cul-de-sac length would have to apply to all other properties within the City, and staff is concerned about the potential unintended consequences of such an amendment.

Conditions

1. All provisions of the R-4 zone, including overall density for the entire project, shall remain intact except that the minimum lot width shall be 60', the minimum lot size shall be 6,000 sq ft, and the minimum side yard setback shall be 6'.
2. If the developer or any future owner of the property west of Stone Creek and south of the proposed 550 North Street reaches an agreement to sell or provide access to the adjacent property currently owned by the Gold family, any portion of the property contained within the Planned Development Overlay that is sold or developed shall revert to the underlying zone at the time of subdivision plat recording.
3. The developer or his assignee shall enter into a development agreement regarding the improvements contained within this subdivision, and also the cost of improving the future street connection through the LDS Church property to 600 East, to the satisfaction of the City Engineer.
4. The proposed extension of 550 North Street through this development shall be a public right-of-way meeting all City standards for a 54' wide minor residential street; including sidewalks and parkstrips on both sides.

Gary Wright thanked the Commission and Staff for their time and suggestions to make this a viable project. He also thanked those that sent him a letter expressing their appreciation for the efforts to redesign the development in their neighborhood.

Mr. Wright explained that under the R-4 Zone he would be allowed 4 lots per acre without the PDO overlay. He is proposing 3.8 per acre which is less density than is allowed and he is consistent with the surrounding neighborhood. Mr. Wright is asking for an approval for his proposal, with the overlay, based on the unique geographical restraints on this property, staff approval and the approval of the neighborhood.

The public hearing was opened for all those with comments and concerns.

The following are the names and addresses of those present with their comments and concerns:

Joseph Cutler, residing at 649 N. 500 E.
Mike Lamb, residing at 635 N. 600 E.
Tim Morley, residing at 504 E. 650 N.
Carol Jenson, residing at 837 N. 650 E.
Kent Hyde, representing his parents at 759 E. 550 N.
Ralph Wilcox, residing at 677 N. 500 E.

Vern Turner, residing at 640 N. 900 E.

Their comments and concerns are as follows:

The Planning Department have consideration for those existing homes being impacted by the backyards abutting their properties.

The existing subdivision be able to build structures in their backyards.

Have a crash gate at the end of the 550 N. extension.

Look at the easement for Stone Creek.

Cover the open section of Stone Creek.

All of the above residents, and those present, thanked the Commission and Staff for their time spent regarding the concerns for their neighborhood. There were ten signatures on a letter sent to the developer and Staff (which is attached to the minutes) expressing their appreciation for the redesign to resolve a sticky situation. They asked to approve the proposal as presented and move on with the project.

The public hearing was closed without further comments.

There was a discussion regarding the PDO overlay verses the R-5 zone.

Sean Monson made a motion to recommend to the City Council approval of the zone map amendment from R-4 to R-4PDO as recommended by staff. David Patton seconded the motion and voting was unanimous in favor.

3. PUBLIC HEARING – Discuss revisions to Title 14, Bountiful City Land Use Ordinance.

Aric Jensen had no revisions to present before the Commission.

Meeting was adjourned at 7:42 p.m.